

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

INFORMATION

- v. -

21 Cr. 456

MAHMUD CHOWDHURY, :

a/k/a "Masum Chowdhury," :

a/k/a "Uncle Masum," :

Defendant. :

- - - - - X

COUNT ONE

(Conspiracy to Smuggle Catfish)

The United States Attorney charges:

1. From at least in or about January 2018 up to and including at least in or about October 2019, in the Southern District of New York and elsewhere, MAHMUD CHOWDHURY, a/k/a "Masum Chowdhury," a/k/a "Uncle Masum," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, smuggling goods into the United States in violation of Title 18, United States Code, Section 545.

2. It was a part and an object of the conspiracy that MAHMUD CHOWDHURY, a/k/a "Masum Chowdhury," a/k/a "Uncle Masum," the defendant, and others known and unknown, did fraudulently and knowingly import and bring into the United States certain

merchandise contrary to law, and received, concealed, bought, sold, and facilitated the transportation, concealment, and sale of such merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law, to wit, CHOWDHURY conspired to import into the United States certain banned fish of the order Siluriformes, which are commonly known as "catfish," and sold the same to customers within the United States, in violation of Title 18, United States Code, Section 545.

OVERT ACTS

3. In furtherance of said conspiracy and to affect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere, by MAHMUD CHOWDHURY, a/k/a "Masum Chowdhury," a/k/a "Uncle Masum," the defendant:

a. On or about January 25, 2019, CHOWDHURY caused to be imported aboard a vessel that crossed the waters of the Southern District of New York a quantity of fish of the order Siluriformes, commonly referred to as catfish, contrary to law.

b. On or about August 5, 2019, CHOWDHURY caused to be imported aboard a vessel that crossed the waters of the Southern District of New York a quantity of fish of the order Siluriformes, commonly referred to as catfish, contrary to law.

c. On or about August 13, 2019, CHOWDHURY caused to be imported aboard a vessel that crossed the waters of the Southern District of New York a quantity of fish of the order Siluriformes, commonly referred to as catfish, contrary to law.

d. On or about August 13, 2019, CHOWDHURY caused to be imported aboard a vessel that crossed the waters of the Southern District of New York a quantity of fish of the order Siluriformes, commonly referred to as catfish, contrary to law.

(Title 18, United States Code, Section 371.)

COUNT TWO

(Smuggling Catfish into the United States)

The United States Attorney further charges:

4. From at least in or about January 2018 up to and including at least in or about October 2019, in the Southern District of New York and elsewhere, MAHMUD CHOWDHURY, a/k/a "Masum Chowdhury," a/k/a "Uncle Masum," the defendant, fraudulently and knowingly imported and brought into the United States certain merchandise contrary to law, and received, concealed, bought, sold, and facilitated the transportation, concealment, and sale of such merchandise after importation, knowing the same to have been imported and brought into the United States contrary to law, to wit, CHOWDHURY imported into

the United States certain banned fish of the order Siluriformes, which are commonly known as "catfish," and sold the same to customers within the United States.

(Title 18, United States Code, Sections 545 and 2.)

FORFEITURE ALLEGATION

5. As a result of committing the offenses alleged in Counts One and Two of this Information, MAHMUD CHOWDHURY, a/k/a "Masum Chowdhury," a/k/a "Uncle Masum," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(B), any and all property constituting or derived from proceeds obtained directly or indirectly as a result of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses that the defendant personally obtained; and, pursuant to Title 18, United States Code, Section 545, any merchandise introduced into the United States in violation of Title 18, United States Code, Section 545, or the value thereof.

Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of MAHMUD CHOWDHURY, a/k/a "Masum Chowdhury," a/k/a "Uncle Masum," the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property described above.

(Title 18, United States Code, Section 982; and Title 21, United States Code, Section 853)

AUDREY STRAUSS

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United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(Title 18, United States Code,
Sections 371, 545, and 2.)

AUDREY STRAUSS
United States Attorney
